

1 “(a) In the performance of its functions, the Agency
2 is authorized to exercise the authorities contained in sections
3 2301; 2302 (2) and (3); 2303 (b) and (c); 2304 (a),
4 (1), (2), (3), (4), (5), (6), (10), (12), (15), and
5 (17); 2305; 2306; 2307; and 2312 of title 10, United
6 States Code.

7 “(b) In the exercise of the authorities granted in sub-
8 section (a) of this section, the term ‘Agency head’ shall
9 mean the Director, the Deputy Director, or the Executive
10 Director.”

11 (b) Subsection 3 (d) of the Act (50 U.S.C. 403c)
12 is amended by deleting the words “section 2 (c) and section
13 5 (a) of the Armed Services Procurement Act of 1947”
14 from the first sentence and substituting therefor, “section
15 2304 (a) and section 2307 of title 10, United States Code.”
16 Section 3 (d) is further amended by deleting the words
17 “section 2 (c) by section 4 or by section 5 (a) of the Armed
18 Services Procurement Act of 1947” from the second sentence
19 and substituting therefor, “section 2304 (a), by section 2306
20 or by section 2307 of title 10, United States Code.”.

21 SEC. 103. Section 4 of the Central Intelligence Agency
22 Act (50 U.S.C. 403e) is amended by inserting the word
23 and comma “abroad,” after the word “assigned” in the first
24 sentence, and by striking the last word of the sentence
25 “shall”, and inserting in lieu thereof the word “may”.

1 SEC. 104. Section 4 of the Central Intelligence Agency
2 Act (50 U.S.C. 403e) is amended by adding the following
3 new paragraph:

4 “(1) (G) pay the travel expenses of officers and em-
5 ployees of the Agency and members of their families, while
6 serving at posts specifically designated by the Director for
7 purposes of this paragraph, for rest and recuperation to other
8 locations abroad having different environmental conditions
9 than those at the post at which such officers and employees
10 are serving, provided that such travel expenses shall be
11 limited to the cost for each officer or employee and members
12 of his family of one round trip during any continuous two-
13 year tour unbroken by home leave and two round trips dur-
14 ing any continuous three-year tour unbroken by home
15 leave;”.

16 SEC. 105. Section 4 of the Central Intelligence Agency
17 Act (50 U.S.C. 403e) is amended by adding the following
18 new paragraph:

19 “(1) (II) pay the travel expenses of members of the
20 family accompanying, preceding, or following an officer or
21 employee if, while he is en route to his post of assignment,
22 he is ordered temporarily for orientation and training or is
23 given other temporary duty.”

24 SEC. 106. Section 4 (3) (A) of the Central Intelligence

1 Agency Act (50 U.S.C. 403e) is amended to read as
2 follows:

3 “(3) (A) order to any of the several States of the
4 United States of America (including the District of
5 Columbia, the Commonwealth of Puerto Rico, and any
6 territory or possession of the United States) on leave of
7 absence authorized in section 6305 of title 5, United
8 States Code, each officer and employee of the Agency
9 who was a resident of the United States (as described
10 above) at the time of employment, upon completion of
11 three years’ continuous service abroad or as soon as pos-
12 sible thereafter, or may so order after completion of
13 eighteen months’ such service without regard to the
14 limitation contained in section 203 (f) of the Annual
15 and Sick Leave Act of 1951, as amended.”.

16 SEC. 107. Section 4 (5) of the Central Intelligence
17 Agency Act (50 U.S.C. 403e) is amended by striking sub-
18 sections (A) and (C) and inserting in lieu thereof the fol-
19 lowing new paragraphs (A) and (C) :

20 “(A) in the event an officer or employee of the
21 Agency, or one of his dependents, requires medical care,
22 for illness or injury not the result of vicious habits, in-
23 temperance, or misconduct, while on assignment abroad
24 in a locality where there is no qualified person or facility
25 to provide such care, pay the travel expenses of such

1 officer, employee, or dependent by whatever means
 2 deemed appropriate by the Agency, including the fur-
 3 nishing of transportation, and without regard to the
 4 Standardized Government Travel Regulations and sec-
 5 tion 5731 of title 5, United States Code, to the nearest
 6 locality where suitable medical care can be obtained and
 7 on his recovery pay for the travel expenses of his return
 8 to his post of duty. If any such person is too ill to travel
 9 unattended, or in the case of a dependent too young to
 10 travel alone, the Agency may also pay the round-trip
 11 travel expenses of an attendant or attendants;”.

12 “(C) (i) in the event of illness or injury requiring
 13 hospitalization or similar treatment incurred by an officer
 14 or employee of the Agency while on assignment abroad,
 15 not the result of vicious habits, intemperance, or miscon-
 16 duct on his part, pay for the cost of treatment of such
 17 illness or injury;

18 “(ii) in the event a dependent of an officer or em-
 19 ployee of the Agency who is assigned abroad, incurs an
 20 illness or injury while such dependent is located abroad,
 21 which requires hospitalization or similar treatment, and
 22 which is not the result of vicious habits, intemperance,
 23 or misconduct on his part, pay for that portion of the
 24 cost of treatment of each such illness or injury that
 25 exceeds \$35 up to a maximum limitation of one hundred

1 and twenty days of treatment for each such illness or
2 injury, except that such maximum limitation shall not
3 apply whenever the Agency, on the basis of professional
4 medical advice, shall determine that such illness or injury
5 clearly is caused by the fact that such dependent is or
6 has been located abroad;”.

7 SEC. 108. Section 4 of the Central Intelligence Agency
8 Act (50 U.S.C. 403e) is amended by adding the following
9 new paragraph:

10 “(8) provide appropriate orientation and language
11 training to members of family of officers and employees
12 of the Agency in anticipation of the assignment abroad
13 of such officers and employees, or while abroad.”.

14 SEC. 109. Section 5 of the Central Intelligence Agency
15 Act (50 U.S.C. 403f) is amended by adding the following
16 new paragraph:

17 “(f) Appoint advisory committees and employ, not-
18 withstanding any other provisions of law, part-time advisory
19 personnel necessary to carry out the functions of the Agency.
20 Persons holding other offices or positions under the United
21 States for which they receive compensation, while serving
22 as members of such committees, shall receive no additional
23 compensation for such service. Other members of such
24 committees and part-time advisory personnel so employed
25 may serve without compensation or may receive compensa-

tion at rates determined by the Director, not to exceed \$100 per day, for the assignment or position.”.

SEC. 110. Section 5 of the Central Intelligence Agency Act (50 U.S.C. 403f) is amended by adding the following new paragraph:

“(g) Upon the termination of the assignment of an employee appointed from another Government agency without a break in service for duty with the Agency for a specific period of time agreed upon by both agencies, such person will be entitled to reemployment in such other Government agency in the position occupied at the time of assignment, or in a position of comparable salary, or, at the volition of the other Government agency, to a position of higher salary. Upon reemployment, the employee shall receive the within-grade salary advancements and other salary adjustments he would have been entitled to receive had he remained in the position in which he was employed prior to assignment to the Agency.”.

SEC. 111. Section 5 of the Central Intelligence Agency Act (50 U.S.C. 403f) is amended by adding the following new paragraph:

“(h) Settle and pay, whenever the Director determines that payment will further purposes of this Act, without regard to any other provisions of law and under such regula-

1 tions as the Director may prescribe, in an amount not ex-
2 ceeding \$10,000, any claim against the United States for
3 loss of or damage to real or personal property (including
4 loss of occupancy or use thereof), belonging to, or for per-
5 sonal injury or death of, any person not a citizen or resident
6 of the United States, where such claim arises abroad out
7 of the act or omission of any Agency employee or out of the
8 act or omission of any person acting on behalf of the Agency
9 but only if such claim is presented in writing to the Agency
10 activity involved within one year after it accrues.”

11 TITLE II

12 SEC. 201. This title may be cited as the “Central In-
13 telligence Agency Retirement Act Amendments of 1967”.

14 SEC. 202. The Central Intelligence Agency Retirement
15 Act of 1964 for Certain Employees (78 Stat. 1043; 50
16 U.S.C. 403 note) is amended by striking subsection 204
17 (b) (3) and inserting the following in lieu thereof:

18 “(3) ‘Child’, for the purposes of sections 221 and 232
19 of this Act, means an unmarried child, including (i) an
20 adopted child, and (ii) a stepchild or recognized natural
21 child who lived with the participant in a regular parent-
22 child relationship, under the age of eighteen years, or such
23 unmarried child regardless of age who because of physical
24 or mental disability incurred before age eighteen is incapable
25 of self-support, or such unmarried child between eighteen

1 and twenty-two years of age who is a student regularly pur-
2 suing a full-time course of study or training in residence in
3 a high school, trade school, technical or vocational institute,
4 junior college, college, university, or comparable recognized
5 educational institution. A child whose twenty-second birth-
6 day occurs prior to July 1 or after August 31 of any calendar
7 year, and while he is regularly pursuing such a course of
8 study or training, shall be deemed for the purposes of this
9 paragraph and section 221 (e) of this Act to have attained
10 the age of twenty-two on the first day of July following
11 such birthday. A child who is a student shall not be deemed
12 to have ceased to be a student during any interim between
13 school years if the interim does not exceed five months
14 and if he shows to the satisfaction of the Director that he
15 has a bona fide intention of continuing to pursue a course
16 of study or training in the same or different school during
17 the school semester (or other period into which the school
18 year is divided) immediately following the interim. The
19 term 'child', for purposes of section 241, shall include an
20 adopted child and a natural child, but shall not include a
21 stepchild."

22 SEC. 203. Section 221 (b) of the Central Intelligence
23 Agency Retirement Act (50 U.S.C. 403 note) is amended
24 by deleting the words "or remarriage" from the first sen-

1 tence, and section 232 (b) is amended by deleting the words
2 “or remarriage” from the second sentence.

3 SEC. 204. Section 221 (e) of the Central Intelligence
4 Agency Retirement Act (50 U.S.C. 403 note) is amended
5 to read as follows:

6 “(e) The commencing date of an annuity payable to a
7 child under paragraph (c) or (d) of this section, or (c) or
8 (d) of section 232, shall be deemed to be the day after the
9 annuitant or participant dies, with payment beginning on
10 that day or beginning or resuming on the first day of the
11 month in which the child later becomes or again becomes a
12 student as described in section 204 (b) (3), provided the
13 lump-sum credit, if paid, is returned to the fund. Such
14 annuity shall terminate on the last day of the month before
15 (1) the child’s attaining age eighteen unless he is then a
16 student as described or incapable of self-support, (2) his be-
17 coming capable of self-support after attaining age eighteen
18 unless he is then such a student, (3) his attaining age
19 twenty-two if he is then such a student and not incapable of
20 self-support, (4) his ceasing to be such a student after at-
21 taining age eighteen unless he is then incapable of self-
22 support, (5) his marriage, or (6) his death, whichever first
23 occurs.”.

24 SEC. 205. Section 221 of the Central Intelligence
25 Agency Retirement Act (50 U.S.C. 403 note) is amended

1 by deleting the last two sentences of subsection (f), and
2 adding the following new paragraphs (g) and (h) :

3 “(g) Except as otherwise provided, the annuity of a
4 participant shall commence on the day after separation from
5 the service, or on the day after salary ceases and the partici-
6 pant meets the service and the age or disability requirements
7 for title thereto. The annuity of a participant under section
8 234 shall commence on the day after the occurrence of the
9 event on which payment thereof is based. An annuity other-
10 wise payable from the fund allowed on or after date of enact-
11 ment of this provision shall commence on the day after the
12 occurrence of the event on which payment thereof is based.

13 “(h) An annuity payable from the fund on or after date
14 of enactment of this provision shall terminate (1) in the case
15 of a retired participant, on the day death or any other ter-
16 minating event occurs, or (2) in the case of a survivor, on
17 the last day of the month before death or any other terminat-
18 ing event occurs.”.

19 SEC. 206. Section 252 of the Central Intelligence
20 Agency Retirement Act (50 U.S.C. 403 note) is amended
21 by deleting subsection (c) (1) ; renumbering subsections
22 (c) (2) and (c) (3) to read (c) (3) and (c) (4) ; and in-
23 serting the following new subsections (c) (1) and (c) (2) :

24 “(c) (1) If an officer or employee under some other
25 Government retirement system becomes a participant in the

1 system by direct transfer, the Government's contributions
2 under such retirement system on behalf of the officer or em-
3 ployee shall be transferred to the fund and such officer or
4 employee's total contributions and deposits, including inter-
5 est accrued thereon, except voluntary contributions, shall be
6 transferred to his credit in the fund effective as of the date
7 such officer or employee becomes a participant in the system.
8 Each such officer or employee shall be deemed to consent to
9 the transfer of such funds and such transfer shall be a com-
10 plete discharge and acquittance of all claims and demands
11 against the other Government retirement fund on account of
12 service rendered prior to becoming a participant in the
13 system.

14 “(c) (2) If a participant in the system becomes an
15 employee under another Government retirement system by
16 direct transfer to employment covered by such system, the
17 Government's contributions to the fund on his behalf may be
18 transferred to the fund of the other system and his total con-
19 tributions and deposits, including interest accrued thereon,
20 except voluntary contributions, may be transferred to his
21 credit in the fund of such other retirement system at the
22 request of the officer or employee effective as of the date he
23 becomes eligible to participate in such other retirement sys-
24 tem. Each such officer or employee in requesting such
25 transfer shall be deemed to consent to the transfer of such

1 funds and such transfer shall be a complete discharge and
2 acquittance of all claims and demands against the fund on
3 account of service rendered prior to his becoming eligible for
4 participation in such other system.”.

5 SEC. 207. Section 273 of the Central Intelligence Agency
6 Retirement Act (50 U.S.C. 403 note) is amended by delet-
7 ing subsection (a) ; renumbering subsection (b) to read (c) ;
8 and inserting the following new subsections (a) and (b) :

9 “(a) Notwithstanding any other provision of law, any
10 annuitant who has retired under this Act and who is reem-
11 ployed in the Federal Government service in any appointive
12 position either on a part-time or full-time basis shall be
13 entitled to receive the salary of the position in which he is
14 serving plus so much of his annuity payable under this Act
15 which when combined with such salary does not exceed
16 during any calendar year the basic salary such officer or
17 employee was entitled to receive on the date of his retire-
18 ment from the Agency. Any such reemployed officer or
19 employee who receives salary during any calendar year in
20 excess of the maximum amount which he may be entitled
21 to receive under this paragraph shall be entitled to such
22 salary in lieu of benefits hereunder.

23 “(b) When any such annuitant is reemployed, he shall
24 notify the Director of Central Intelligence of such reem-

1 ployment and shall provide all pertinent information relating
2 thereto.”.

3 SEC. 208. Section 291 of the Central Intelligence Agency
4 Retirement Act (50 U.S.C. 403 note) is amended to read as
5 follows:

6 “SEC. 291. (a) On the basis of determinations made by
7 the Director pertaining to per centum change in the price
8 index, the following adjustments shall be made:

9 “(1) Effective the first day of the third month which
10 begins after the date of enactment of this amendment each
11 annuity payable from the fund which has a commencing date
12 not later than such effective date shall be increased by (a)
13 the per centum rise in the price index, adjusted to the nearest
14 one-tenth of 1 per centum, determined by the Director on
15 the basis of the annual average price index for calendar year
16 1962 and the price index for the month latest published on
17 date of enactment of this amendment, plus (b) $1\frac{1}{2}$ per
18 centum. The month used in determining the increase based
19 on the per centum rise in the price index under this subsec-
20 tion shall be the base month for determining the per centum
21 change in the price index until the next succeeding increase
22 occurs.

23 “(2) Each month after the first increase under this
24 section, the Director shall determine the per centum change
25 in the price index. Effective the first day of the third month

1 which begins after the price index shall have equaled a rise
2 of at least 3 per centum for three consecutive months over
3 the price index for the base month, each annuity payable
4 from the fund which has a commencing date not later than
5 such effective date shall be increased by the per centum rise
6 in the price index (calculated on the highest level of the
7 price index during the three consecutive months) adjusted
8 to the nearest one-tenth of 1 per centum.

9 “(b) Eligibility for an annuity increase under this sec-
10 tion shall be governed by the commencing date of each an-
11 nuity payable from the fund as of the effective date of an
12 increase, except as follows:

13 “(1) Effective from its commencing date, an annuity
14 payable from the fund to an annuitant's survivor (other than
15 a child entitled under section 221 (c)), which annuity com-
16 mences the day after annuitant's death and after the effective
17 date of the first increase under this section, shall be increased
18 by the total per centum increase the annuitant was receiving
19 under this section at death.

20 “(2) For purposes of computing an annuity which
21 commences after the effective date of the first increase under
22 this section to a child under section 221 (c) , the items \$600,
23 \$720, \$1,800, and \$2,160 appearing in section 221 (c) shall
24 be increased by the total per centum increase allowed and in
25 force under this section for employee annuities, and, in the

1 case of a deceased annuitant, the items 40 per centum and 50
2 per centum appearing in section 221 (c) shall be increased
3 by the total per centum increase allowed and in force under
4 this section to the annuitant at death.

5 “(c) The term ‘price index’ shall mean the Consumer
6 Price Index (all items—United States city average) pub-
7 lished monthly by the Bureau of Labor Statistics. The term
8 ‘base month’ shall mean the month for which the price index
9 showed a per centum rise forming the basis for a cost-of-
10 living annuity increase.

11 “(d) No increase in annuity provided by this section
12 shall be computed on any additional annuity purchased at
13 retirement by voluntary contributions.

14 “(e) The monthly installment of annuity after adjust-
15 ment under this section shall be fixed at the nearest dollar,
16 except that such installment shall after adjustment reflect
17 an increase of at least \$1.”

18 TITLE III—MISCELLANEOUS

19 SEC. 301. Section 5541 (2) of title 5, United States
20 Code, is amended by (1) striking out “or” at the end of
21 paragraph (xii); (2) deleting the period at the end of
22 paragraph (xiii) and inserting “; or”; and (3) adding the
23 following new paragraph: “(xiv) an officer or employee
24 of the Central Intelligence Agency.”

90TH CONGRESS
1ST SESSION
H. R. 7315

A BILL

To amend the Central Intelligence Agency Act
of 1949, as amended, and for other purposes.

By Mr. RIVERS

MARCH 15, 1967

Referred to the Committee on Armed Services